

DISTRICT I  
PERCY DEAL  
P.O. Box 365  
ORAIBI, AZ 86039  
PHONE 725-3460

DISTRICT II  
DAVID J. TSOSIE  
Box 1007  
KEAMS CANYON, AZ 86034

DISTRICT III  
MARLIN F. GILLESPIE  
216 ENCANTO DR.  
HOLBROOK, AZ 86025  
PHONE 524-3041

DISTRICT IV  
PETE SHUMWAY  
P.O. Box 161  
TAYLOR, AZ 85939  
PHONE 536-4060

DISTRICT V  
LARRY A. LAYTON  
HC 62 BOX 6450  
PINETOP, AZ 85935  
RES. 367-2551

FEE # **91 04988**

RECORDED AT THE REQUEST OF

Navajo County Engineering  
ON APR 22 '91-4 05 PM

## BOARD OF SUPERVISORS

NAVAJO COUNTY  
GOVERNMENTAL CENTER  
P.O. Box 668  
HOLBROOK, AZ 86025  
PHONE (602) 524-6161

IN DOCKET 1029 PAGE(S) 13-14-15  
OFFICIAL RECORDS OF NAVAJO COUNTY, ARIZONA  
JAY H. TURLEY, RECORDER  
SHARON R. KEENE  
CLERK OF THE BOARD

EDWARD J. KOURY  
COUNTY MANAGER

MICROFILMED  
INDEXED



Resolution No. 22-91

### RESOLUTION FOR A VARIANCE, USE WAIVER, OF THE NAVAJO COUNTY FLOODPLAIN ORDINANCE

WHEREAS, the Navajo County Board of Supervisors is acting in their capacity as the Floodplain Board of Navajo County; and

WHEREAS, the Assessor's Parcel Number 206-29-046 is in the floodway as shown on Floodway Panel Number 040066-2175B, dated May 18, 1989; and

WHEREAS, the Owner is aware of the dangers of living in the floodway and is willing to hold Navajo County harmless for any damages due to flooding; and

WHEREAS, the Owner is willing to comply with the attached restrictions; now

THEREFORE, BE IT RESOLVED That the Floodplain Board of Navajo County does hereby grant a variance that a home may built with a finish floor elevation three feet, four inches (3'4") above the existing ground elevation.

PASSED AND ADOPTED this 22 day of APRIL, 1991.

Handwritten signature of Pete Shumway.  
Chairman, Navajo County  
Flood Control District

ATTEST:

Handwritten signature of Sharon R. Keene.  
Clerk of the Board

**RELEASE AND HOLD HARMLESS AGREEMENT**

Release executed this 22nd day of April, 1991, by Mr. and Mrs. John Saucedo, husband and wife, (the "**SAUCEDA's**"), in favor of Navajo County ("**COUNTY**").

**WHEREAS**, the **SAUCEDA's** are the owners of real property located in Navajo County, Arizona, designated as Assessor's parcel Number 206-28-046 (the "**PROPERTY**"); and

**WHEREAS**, the **PROPERTY** is in the floodway shown on Floodway Map #040066-2175B, May 18, 1989; and

**WHEREAS**, the **SAUCEDA's** have been advised of the dangers of living in the floodway, and that insurance, including flood insurance may not be available to them; and

**WHEREAS**, the Navajo County Board of Supervisors, acting in their capacity as the Floodplain Board of Navajo County, has agreed to grant the variance requested by the **SAUCEDA's**; now

**THEREFORE**, in consideration of the Navajo County board of Supervisors granting the variance requested by the **SAUCEDA's**, pursuant to Resolution Number 22-91, the **SAUCEDA's** agree to assume the risk of all damage, loss, costs and expenses, and agree to hold harmless Navajo County, its officers, agents, and employees from and against any and all liability, damage, loss, cost and expense, which may accrue to or be sustained by the **SAUCEDA's**, their heirs or assigns, on account of any claim, suit, or action made or brought against Navajo County, its officers, agents and employees arising out of the grant of the Variance permitting the **SAUCEDA's** to place a residence on the real property designated as Assessor's Parcel Number 206-28-046. This Agreement shall ensure to the benefit of the Members of the Board of Supervisors of Navajo County, both in their individual and official capacities, and the successors and assigns of the foregoing.

**IN WITNESS WHEREOF**, Mr. and Mrs. John Saucedo, husband and wife, have executed this release on the day and year first written above.



Mr. John Saucedo



### FLOODPLAIN USE PERMIT

- 1) This Floodplain Use Permit is being issued in conjunction with Navajo County Building Permit No. 14503 and becomes a part of the Building Permit.
- 2) This permit is being issued in accordance with the Navajo County Board of Supervisors Flood Damage Prevention Ordinance, Resolution No. 110-87 and complies with this Ordinance.
- 3) **WARNING AND DISCLAIMER OF LIABILITY.** Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. The above mentioned Ordinance does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. Also, said Ordinance shall not create liability on the part of Navajo County, and officer or employee thereof, or the Federal Insurance Administration, for any flood damages that result from reliance on said Ordinance or any Administrative decision lawfully made thereunder.
- 4) **FLOODPLAIN USE PERMIT.** A Floodplain Use Permit shall be obtained before construction or development begins with any area of special flood hazard. Application for a Floodplain Use Permit shall be made on forms furnished by the Floodplain Administrator (Navajo County Engineer) and may include, but not be limited to: plans in duplicate drawn to scale showing the nature, location, dimensions, and elevation of the area in question; existing or proposed structures, fill storage of materials, drainage facilities; and the location of aforementioned.

**NOTE:** A benchmark that has been referenced to the National Geodetic vertical datum of 1929 shall be established within fifty feet (50') to the building foundation. This benchmark shall be set by a Registered Engineer or Surveyor as required by 5.1-2(1) of the Navajo County Flood Prevention Ordinance for use by the builder to determine the proposed construction elevation and for use by the Navajo County Building Department and Floodplain Administrator in inspecting the structure upon completion. The lowest habitable floor (including basement) of this structure shall be built at a minimum elevation of SEE ITEM 5.

- 5) That the structure will be built on piers forty-eight inches (48") above ground and walls will be constructed forty-eight inches (48") above ground so as to not obstruct water flow.

This building site is in the "A" flood zone/floodway as determined from the FEMA FIRM Floodway Map 040066-2175B.

Date: APRIL 22, 1991 Assessor's Parcel No. 206-28-046

  
Floodplain Administrator

  
Owner/Representative

\*Copies of the complete Navajo County Flood Damage Prevention Ordinance can be obtained at the Navajo County Engineering Department.